



# City of Fall River, Massachusetts

LAW DEPARTMENT  
ONE GOVERNMENT CENTER  
FALL RIVER, MA 02722

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July 5, 2001

Clerk for Civil Business  
United States District Court  
District of Massachusetts  
One Courthouse Way  
Boston, MA 02108

Re: Conservation Law Foundation v. City of Fall River, et al  
U.S. District Ct. 87-3067-Z

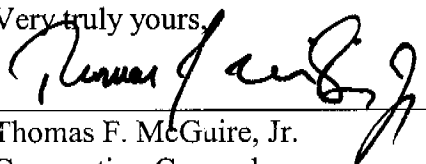
Dear Sir/Madam:

On behalf of the Defendant, City of Fall River, enclosed please find Quarterly Progress Report (Progress Report # 37), a copy of which has been provided to the Plaintiff.

Be advised that under the Order issued by Judge Zobel with regard to this matter, said Quarterly Progress Report is required to be filed with the Court. Would you therefore, kindly file same.

If there are questions or comments, do not hesitate to contact me.

Very truly yours,

  
Thomas F. McGuire, Jr.  
Corporation Counsel

TFM/n  
Enclosure

cc: Ronald A. Laro  
Steven H. Burrington, Esq.  
Terrance J. Sullivan

**DOCKETED**

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# City of Fall River, Massachusetts

## SEWER COMMISSION ONE GOVERNMENT CENTER

FILED IN CLERK'S  
OFFICE  
JUL 13 12 00 PM '01  
U.S. DISTRICT COURT  
DISTRICT OF  
MASSACHUSETTS  
FALL RIVER

July 3, 2001

Attorney Thomas F. McGuire  
Corporation Counsel  
Law Department  
One Government Center  
Fall River, MA 02722

Dear Mr. McGuire:

Enclosed is Progress Report #37 (original) as required by Section 15, Page 12 of the Court Order (Civil Action No.87-3067-Z). As with the last quarterly report, I expect that your department will submit the appropriate copies to the Court and CLF.

Section 10E, Pages 8-9 of the Court Order requires that a CSO Flow Report be served on Counsel for the plaintiffs each calendar quarter and is appended to the Progress Report for submittal to CLF.

Please call if you have any questions.

Sincerely,

Ronald A. Laro

Director/Water Pollution Control

RAL/das

cc: Sewer Commission  
Terrance J. Sullivan  
James A. Smith  
Ralph Lepore

PROGRESS REPORT #37

July 2001

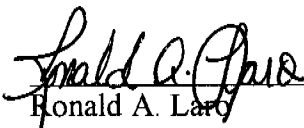
1. CSO Construction Contract 2A-2 is comprised of the construction of the; South and Central Tunnels, associated drop shafts and connecting tunnels, tunnel odor control, and the extreme event overflow structure. All required Federal and State Permits and associated easements (approximately 275) are in place.
2. Contract 2A-2 bids were accepted on January 31, 2001 at 11:00 a.m. These bids were substantially greater than the Engineers advertised estimate. As such, the City could not award, in that the bids received exceeded the City's Loan Order Authorization of \$115,000,000.

The low bidder for Contract 2A-2 has extended the withdrawal period for their bid, thus, the bid remains valid.

3. The City, with its Engineer, immediately began a program evaluation. The evaluation resulted in alternative measures which would insure water quality standards while complying with CSO Program objectives. As such, meetings have been conducted with EPA Region I and State DEP officials to review and consider acceptance of appropriate alternative measures. Further, on June 20, 2001, City officials met in Washington with Federal EPA Representatives to confirm our commitment to the CSO Program and review and consider acceptance of appropriate alternative measures.
4. Currently, we are awaiting final determinations by both the Federal EPA and State DEP. Both Regulatory Agencies have committed to prompt determinations which shall not impact the City's schedule, and as such, compliance with CSO Abatement Program requirements.

If further information is required, please call me at 508/324-2321.

Signed under the pains and penalties of perjury this 3<sup>rd</sup> day of July, 2001.

  
\_\_\_\_\_  
Ronald A. Laro  
Director/Water Pollution Control

**FALL RIVER SEWER COMMISSION**  
**CSO WEEKLY PHYSICAL INSPECTIONS**  
**AND**  
**RAINFALL DATA**

April - June 2001

[illegible]

Monthly Operation and Maintenance Report  
 Fall River Wastewater Treatment Facility  
 Professional Services Group, Inc.  
 4/1/01 to 6/30/01  
 (Rainfall Data - Inches)

	<u>April</u>	<u>May</u>	<u>June</u>
1	-	-	-
2	-	-	1.36
3	-	-	0.15
4	-	-	-
5	-	0.20	-
6	0.34	-	-
7	0.03	-	-
8	1.01	-	-
9	0.09	-	-
10	0.04	-	-
11	-	-	0.53
12	0.60	-	1.77
13	0.03	-	-
14	-	-	-
15	-	0.07	-
16	-	0.02	-
17	0.46	-	2.62
18	0.19	-	-
19	-	-	-
20	-	-	-
21	-	-	-
22	0.03	0.47	-
23	-	0.23	0.58
24	-	1.43	0.02
25	-	0.22	-
26	-	-	-
27	-	0.40	-
28	-	0.23	-
29	-	-	-
30	-	-	0.04
31	-	-	-

(T) Trace Rainfall